

High Knob Viewshed and Habitat Improvement Project

Draft Environmental Assessment Comments and Concerns

This document contains the George Washington and Jefferson NFs responses to substantive comments that were received during the comment period for the High Knob Viewshed and Habitat Improvement Project (High Knob Project) Draft Environmental Assessment (EA).

An email and hardcopy letters were sent out and a legal notice was published in *The Coalfield Progress* on Friday, December 6th, 2019 to notify interested parties of the availability of the High Knob Project EA. This initiated the comment period, which ended on January 6th, 2020.

The Forest Service received correspondence from four individuals, organizations, and agencies. These comments have been analyzed and responded to using a process called content analysis. All notable comments were assigned a unique contact number generated from the correspondence number and the comment number (e.g. #38-2 would be the second comment identified from letter number 38). Commenters and their associated organizations are shown in Table 1, below.

Similar comments were grouped together and for each group a concern statement was developed. Concern statements are meant to capture the thought, idea, or issue common to all of the associated comments. They often represent the view of many respondents, but may also be derived from just one person's input. Concern statements provide the framework for preparing responses to public comment.

Comments may:

- Identify issues (cause and effect relationship between proposed action and effects);
- Suggest alternative ways to conduct the action, or lessen the impacts of the action through mitigation or project design feature;
- Suggest a method to measure effects; and/or,
- Provide new information for the interdisciplinary team to consider.

Not all comments are relevant to the decision; comments are not relevant (non-substantive) if they are:

- Beyond the scope of the proposal;
- Unrelated to the decision being made;
- Already decided by law, regulation or policy;
- Conjectural in nature or not supported by scientific evidence; or,
- General in nature (not specific to this project) or position statements not supported by reasons.

Table 1. Respondents to High Knob Project Draft Environmental Assessment

Letter #	Author Name	Organization Name	Date Submitted
01	Michael Hutchison	Virginia Department of Environmental Quality	12/16/2019
02	Seth Thompson	Virginia Department of Game and Inland Fisheries	12/16/2019
03	René Hypes	Department of Conservation and Recreation-Natural Heritage	1/6/2020
04	Steve Brooks	The Clinch Coalition	1/6/2020

General

General - #1: These comments express support for the High Knob Project.

#01-01 The Department of Environmental Quality has no objections to the project provided that the applicant abides by all applicable state, Federal, and local laws and regulations.

#02-01 The Virginia Department of Game and Inland Fisheries (DGIF) wishes to express full support for the High Knob Viewshed and Habitat Improvement project.

#04-01 The Clinch Coalition continues to agree generally with the objectives of this project and appreciates the District's decision to complete an Environmental Assessment

Response: Thank you for your comments and your support for the High Knob Project. We appreciate your interest and participation in the planning process.

General - #2: These comments were determined to be non-substantive.

#01-04 This project is not likely to adversely affect air quality.

Response: Comment noted.

#03-05 There are no State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

Response: This comment is unrelated to the decision being made; it addresses an issue not present within the project area.

#01-02 Although no long-term adverse impacts to water quality are anticipated from this project, potential short-term adverse impacts resulting from surface runoff due to construction must be minimized.

#01-03 If the total land disturbance exceeds 10,000 square feet, an erosion and sediment control plan will be required.

#01-05 DEQ recommends that the use of herbicides or pesticides for construction or landscape maintenance should be in accordance with the principles of integrated pest management.

#03-03 DCR also recommends the use of native species similar to those found in surrounding areas when revegetating disturbed areas.

#03-04 To minimize impacts to karst resources, DCR recommends the stabilization of the soil around the site be prioritized during all the phases of the project and all standard erosion control measures that are appropriate for the site be used.

Response: These comments address issues already decided by law, regulation, or policy since the agency must comply with all applicable federal, state, and local environmental regulations.

Coordination

Coordination - #1: The Forest Service should consult and coordinate with the appropriate state and federal agencies and subject matter experts during analysis and implementation of the project.

#01-06 The Department of Conservation and Recreation's Division of Natural Heritage (DNH) can search its Biotics Data System (BDS) for occurrences of natural heritage resources from the area outlined on the submitted map.[...]We recommend that the DNH be contacted [...]to secure updated information on natural heritage resources before the project is implemented.

#03-02 ... according to DCR zoologist, the High Knob mimic millipede (*Brachoria insolita*, G1/S1/SOC/NL) may inhabit the project area[...]DCR recommends consulting with [...]Virginia Tech [...]to determine if there is potential for this natural heritage resource to occur in the project area..

#03-06 According to the information currently in our files, there is potential for the Northern Long-eared bat (*Myotis septentrionalis*) to occur within the project area.[...]if tree removal is proposed for the project, DCR recommends coordination with the USFWS and the VDGIF to ensure compliance with protected species legislation.

#03-07 There is also potential for the little brown bat (*Myotis lucifugus*) and /or the tri- colored bat (*Perimyotis subflavus*) to occur within the project area. Therefore, DCR recommends coordination with the VDGIF, Virginia's regulatory authority for the management and protection of these species to ensure compliance with the Virginia Endangered Species Act (VA ST §§ 29.1-563 - 570).

Response: The Forest Service, as outlined in our Forest Plan, coordinated with the appropriate state and Federal agencies during the analysis and implementation of the High Knob Project. These include the Virginia state agencies — Department of Conservation and Recreation (DCR) and Virginia Department of Game and Inland Fisheries (VDGIF) — mentioned above and the U.S. Fish and Wildlife Service (USFWS).

The USFWS is the agency that oversees direct management of animals and fish across the Nation, including administration of the Threatened and Endangered Species Act. As stated in Chapter 2 of the Forest Plan:

For federally listed species, the Forest coordinates closely with the U.S. Fish and Wildlife Service to avoid negative effects and to assist with recovery.

Operations

Ops - #1: How will the Forest Service ensure that the weather sensor that is in or near the project area is not damaged during operations?

#04-02 We also highlighted the presence of a weather sensor that is in or near the project area. How will the District ensure it is not damaged during tree felling or by equipment?

Response: The weather station is located outside the area of proposed timber harvest; therefore, the main danger to the weather station would be skid road placement. The weather sensor would be identified as a protected improvement on sale area maps, and the sale administrator would inform the purchaser of the location of the protected instrument.

Threatened, Endangered, Sensitive, and Locally Rare Species

TESLR - #1: The Forest Service should provide for public review the complete analysis for effects to threatened, endangered, sensitive, or locally rare (TESLR) plant and animal species and their habitat to support the finding of no significant impact (FONSI).

#04-04 We also recommend that in the Final EA, the District provide a deeper analysis of potential effects on TES and locally rare species and include additional design criteria as appropriate. [...]In the Final EA, the Forest Service should provide additional information to support its conclusions.

Response: Effects to TESLR species were analyzed at the level and intensity required by law and policy. The legal analysis requirements of the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act were met in the EA. This analysis can be reviewed in the project Biological Evaluation / Biological Assessment posted on the project website here: <https://www.fs.usda.gov/project/?project=55877>.

Vegetation

Veg - #1: The Forest Service should avoid the on-site large-leaf phlox population or explain how the proposed action complies with Forest Plan standards regarding locally rare species.

#03-01 According to the information currently in our files, the Large-leaf phlox (*Phlox amplifolia*, G3G5/S1/NL/NL) has been documented within the project site.[...]In Virginia, occurrences range from a few plants to robust colonies, and several are presumed historical.[...]According to a DCR biologist, the Large-leaf phlox may be negatively impacted by the proposed clearing activities. DCR recommends avoiding the mapped population of this natural heritage resource [...]DCR concurs a portion of the population will likely be adversely impacted by the proposed project however is uncertain if the rare plants will re-establish in the cleared areas post-construction as proposed in the EA. Therefore, DCR continues to recommend avoidance of the large-leaf phlox population if possible and if impacts cannot be avoided, we recommend the impact area be as small as possible.

#04-03 We also ask the District to clarify how the proposed action complies with Forest Plan standards for the relevant management prescriptions[...]The Draft EA recognizes that the proposed action will negatively affect the locally rare large-leaf phlox and that roughly half of the extant population would be disturbed by the proposed action.[1] However, the relevant management prescriptions (8E4b (Indiana Bat Secondary Cave

Protection Area) and 4D (Botanical-Zoological Areas)) both have standards that seem to prohibit such damage. [...]The Forest Service should explain how the proposed action complies with the standards discussed above or make changes to the project as needed.

Response: The commenter is correct in assuming we disclose that roughly half the population of large-leaf phlox (*Phlox amplifolia*) will be affected by the project. The phlox is designated as locally rare in the Forest Plan; this classification is determined at the Forest level due to concerns about losing representation of that species on the Forest, even though they are secure range-wide (Forest Plan, pg. 2-12). Half of the extant population will be retained, and it is possible that some of the phlox in the affected area will come back up outside the area of ground disturbance.

A primary purpose of this project is to expand suitable habitat acreage for a Forest Service Sensitive species, the monarch butterfly (*Danaus plexippus*). Managing for the benefit of this species complies with the Plan Standards cited by the commenter, and the retention of a viable, although reduced, population of large-leaf phlox complies with policy related to locally rare species. We are not legally obligated to have no effect on locally rare species. When they conflict, the needs of the rarer species should win out; therefore, the open habitat needed by the monarch was chosen.